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WRITER'S DIRECT INFORMATION:

December 4, 2006

VIA ELECTRONIC FILING AND FIRST CLASS MAIL

Clerk
United States District Court
District of New Jersey
M.L. King Jr. Building & U.S. Courthouse
50 Walnut Street
Room 4040
Newark, New Jersey 07102

**Re: Merrill Lynch Business Financial Services Inc.
vs. Arthur Kupperman, et al.
Civil Action No: 06-CIV-4802 (DMC)**

Automatic Extension Pursuant to Local Civil Rule 7.1(d)(5)

Dear Sir/Madam:

Pursuant to Local Civil Rule 7.1(d)(5), Plaintiff Merrill Lynch Business Financial Services Inc. hereby invokes the automatic extension of time in which to file opposition to a dispositive motion, i.e., the "cross-motion" of Defendant JPMorgan Chase Bank, N.A. for summary judgment on its counterclaim ("Chase's Cross-motion").

Clerk, U.S.D.C.
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Chase's Cross-motion was filed on November 27, 2006, and, if otherwise procedurally proper, would be returnable on December 11, 2006, with Plaintiff's opposition due on December 4, 2006.

Accordingly, Plaintiff hereby requests an extension of the time to respond to Chase's Cross-motion to and including December 18, 2006. The new motion date for the "cross-motion" only will be December 26, 2006.

Plaintiff's motion was not directed against Defendant JPMorgan Chase Bank, N.A. Accordingly, Chase's Cross-motion was not properly filed as a "cross-motion". It was also premature under Fed. R. Civ. P. 56(a). In addition, Chase's Cross-motion is not directed to the merits of (and is independent of) Plaintiff's motion against the guarantor Defendants and should not serve to delay determination Plaintiff's motion. Thus, the return date of Plaintiff's motion should remain December 11, 2006.

Respectfully,



George R. Hirsch

GRH\

cc: Frederick B. Polak, Esq. (via electronic and First Class Mail)
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